

## **REPORTS DOCKET**

Nov. 17: Land Use Continued  
Nov. 18: Programs & Services; Public Safety & Transportation; Public FacilitiesPage 522  
Nov. 23: Finance; Zoning & Planning Monday, November 16, 2015  
Nov. 24: Land Use 7:45 PM, Newton City Hall  
Dec. 01: Land Use To be reported on  
**TUESDAY, DECEMBER 8, 2015**

### **CITY OF NEWTON**

#### **IN BOARD OF ALDERMEN**

#### **UNFINISHED BOARD BUSINESS**

*Item Postponed on November 16 to Date Certain of December 8, 2015:*

#### **REFERRED TO LAND USE COMMITTEE**

#150-15 ANTHONY DePASQUALE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to change an existing nonconforming use to another nonconforming use to convert an existing clubhouse to a multi-family dwelling with ~~five~~ four units, to waive one parking stall, and to allow parking within the front setback at 15 SOUTH GATE PARK, Ward 3, West Newton, on land known as SBL 33, 31, 9, containing  $\pm$ 14,120 square feet of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(d)(2), (g)(1), and (m) and 30-24(f) of the City of Newton Rev Zoning Ord, 2012. ***(Public Hearing opened and continued on July 13 and August 4, 2015; postponed on October 19 to Date Certain of November 2)***  
LAND USE COMMITTEE CLOSED HEARING; APPROVED 5-0-3 (Cote, Harney, Schwartz abstaining) on October 13, 2015  
**MOTION TO APPROVE FAILED TO CARRY 13-9 on NOVEMBER 2 (Ald. Albright, Brousal-Glaser, Ciccone, Crossley, Danberg, Johnson, Lappin, Laredo, Leary, Lipof, Sangiolo, Schwartz, and Lennon voting in the affirmative; Ald. Baker, Blazar, Cote, Gentile, Harney, Hess-Mahan, Kalis, Norton, Rice opposed; Ald. Fuller and Yates absent).**  
*Motion to Reconsider Filed by Ald. Hess-Mahan on November 2, 2015;*  
*Reconsideration Carries 15 yeas 7 nays (Ald. Blazar, Cote, Gentile, Harney, Norton, Rice, and Sangiolo) :*

**REFERRED TO LAND USE COMMITTEE**

Tuesday, November 17, 2015

Present: Ald. Laredo (Chairman), Ald. Lipof, Cote, Crossley, Albright, Schwartz, Lennon, and Harney; also present: Ald. Sangiolo, Rice, Brousal-Glaser, Gentile, Fuller, and Baker  
Planning Board members present: Scott Wolf (Chairman) Peter Doeringer, Megan Risen, and James Freas

*A public Hearing was be held in conjunction with the Planning & Development Board on the following item:*

#480-14     STEPHEN VONA petition to rezone 283 MELROSE STREET, also known as Section 41, Block 14, Lot 10, from MULTI RESIDENCE 1 to a MIXED USE 4 DISTRICT.

**HEARING CLOSED; PLANNING & DEVELOPMENT BOARD  
CONTINUED TO DECEMBER 1**

*A Public Hearing was opened and continued on May 19, continued on June 23:*

#480-14(3)     STEPHEN VONA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to restore and expand an existing structure known as the Turtle Lane Playhouse with office space above, to provide a mixed use building with an addition containing 6 dwelling units at street level and above and a second building containing a 23-unit multi-family dwelling with a below grade parking garage for 30 cars at 283 MELROSE STREET, Ward 4, Auburndale, on land known as SBL 41, 14, 10 containing approximately 43,783 sf of land [currently zoned MULTI RESIDENCE 1] in a proposed MIXED USE 4 DISTRICT. Ref: Sec 30-24, 30-23, 30-13(h)(2) Table B, 30-13(j)(1),(2),(3), 30-15 Table 3, 30-15(w)(1) and (4) and (w)(6), 30-5(b)(4), 30-19(d)(2), and (d)(18), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

**HEARING CONTINUED TO DECEMBER 1, 2015**

*A Public Hearing was opened on the following petition:*

#289-15     SIMON & LEANNE TAYLOR petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to extend a NONCONFORMING STRUCTURE and USE in order to add dormers, one of which is 60% of the wall plane below, to the half story above the second floor, which will increase the existing nonconforming Floor Area Ratio from .62 to .71, where .45 is the maximum allowed, onto an existing 3½-story, two-family dwelling at 136 EASTBOURNE ROAD, Ward 7, Newton Centre, on land known as BL 73, 43, 5, containing approximately 5,952 square feet of land in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-21(b), 30-15 Table 1, 30-15 Table A, 30-15(u)(2), 30-15(t)(1), 30-8(a) of the City of Newton Rev Zoning Ord, 2012.

**HEARING CLOSED; APPROVED 7-0 (Crossley not voting)**

*A Public Hearing was opened and continued on September 10, and October 20:*

- #147-15 BSL NEWTON DEVELOPMENT, LLC/ANDOVER NEWTON THEOLOGICAL SCHOOL petition for a SPECIAL PERMIT/ SITE PLAN APPROVAL and EXTENSION of a NONCONFORMING STRUCTURE to renovate the top two floors of an existing dormitory (Farwell Hall) to include 12 reconfigured dormitory rooms and to use the bottom three floors and a proposed new attached structure for a 51-unit assisted living facility and to waive 28 parking stalls and various dimensional requirements of Sec 30-19 at 157 HERRICK ROAD, Ward 6, Newton Centre, on land known as SBL 65, 19, 45, containing approximately 871,960 square feet of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), 30-9(b)(2), 30-5(b)(2), 30-19(d)(4), (d)(5), (h)(1), (2)a) and b), (h)(3), (h)(4), (i)(1), (j)(1), (k), and (m) of the City of Newton Rev Zoning Ord, 2012.  
**HEARING CLOSED; APPROVED 8-0**

*A Public Hearing was opened and continued on September 10:*

- #180-15 EIGHTH RUN, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to add two dwelling units to an existing 1½-story single-family dwelling, which will involve removing historically insignificant additions and relocating the existing dwelling, ~~and to exceed the maximum lot coverage, locate parking within 20 feet of a side lot line, and locate a driveway within 10 feet of a side lot line at~~ 28 SUMNER STREET, Ward 7, Newton Centre, on land known as SBL 73, 48, 21, containing approximately 21,205 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(b)(5)a), and b), ~~30-15 Table 1, 30-19(m),~~ of the City of Newton Rev Zoning Ord, 2012.  
**HEARING CLOSED; APPROVED 7-0-1 (Laredo abstaining)**

*A Public Hearing was opened and continued on July 14:*

- #149-15 JOAN DEVINE, TRUSTEE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow an increase in Floor Area Ratio from .45 to .58 .49 for a customized modular home that was permitted at 14 CHARLEMONT STREET, Ward 8, Newton Highlands, on land known as SBL 83, 33, 18, containing approximately 8,251 square feet of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.  
**HEARING CLOSED; APPROVED 8-0**

- #181-15 AYENG FONG & BINH NGUYEN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to add a third unit onto the rear of an existing two-family dwelling at 220-222 CALIFORNIA STREET, Ward 1, NONANTUM, on land known as SBL 11, 10, 16, containing approximately 9,510 sf of land in a district zoned BUSINESS 1.  
**WITHDRAWAL WITHOUT PREJUDICE APPROVED 8-0**

- #274-15      STORAGE DEVELOPMENT PARTNERS, LLC/NORCROSS TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish two existing buildings and construct a 113,187 square-foot self-storage facility with 11 parking stalls at 255-257 NEWTONVILLE AVENUE, Ward 2, Newtonville, on land known as SBL 12, 16, 8, containing approximately 75,634 sf of land in a district zoned MANUFACTURING.

**WITHDRAWAL WITHOUT PREJUDICE APPROVED 8-0**

*A Public Hearing was opened on July 14, continued on August 4, October 13, and October 20:*

- #416-12(4)      MAIN GATE REALTY LLC petition to AMEND Special Permit/Site Plan Approval for a Change in Nonconforming Use #416-12(3), granted August 12, 2013, which limited two existing tenant spaces to office, low parking demand/turnover service, or retail uses, in order to allow office and storage space in the basement and to re-stripe an existing parking lot to create five parking stalls, where four currently exist, and to waive the dimensional requirements for the parking stalls at 242-244 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill, on land known as SBL 61, 13, 11, containing approximately 7,452 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(h)(2)a) and (m) of the City of Newton Rev Zoning Ord.

**HEARING CLOSED; HELD FOR DECEMBER 1**

*A Public Hearing was opened and continued on September 10, continued October 13 and October 20:*

- #416-12(5)      JULIA WILLIAMSON/WALLY ZAINOUN, MAIN GATE REALTY petition to AMEND Special Permit/Site Plan #416-12(3), granted on August 12, 2013, and to AMEND special permit application #416-12(4), for which a public hearing was opened on July 13, 2015, with respect to EXTENDING a NONCONFORMING USE, to permit more than 3 customers for the service use on site at any one time and change the hours of operation of MODERN BARRE at 242-244 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

**HEARING CONTINUED TO DECEMBER 1**

*A Public Hearing was opened and continued on October 13:*

- #229-15      LINDA BRENNAN & ROBERT H. LEE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a SPECIAL PERMIT to construct a detached structure for an accessory apartment accessory to a single-family dwelling at 28 ORCHARD AVENUE, Ward 5, WABAN, on land known as SBL 54, 10, 1, containing approximately 19,850 square feet of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-8(d)(2) of the City of Newton Rev Zoning Ord, 2012.

**HEARING CLOSED; HELD FOR DECEMBER 1**

*A Public Hearing was opened and continued on October 13:*

#231-15 CARTHAY INVESTMENT LLC, petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND and ALTER a NONCONFORMING USE in order to construct four attached dwellings in two new 2½-story structures and extend a nonconforming side setback at 5-7 and 9-11 CARTHAY CIRCLE, Ward 6, Newton Highlands, on land known as SBL 54, 22, 8A and 9, containing 7,130 and 7,980 square feet of land, respectively, in a district zoned BUSINESS 2. Ref: 30-24, 30-23, 30-21(b), 30-15 Table 3, of the City of Newton Rev Zoning Ord, 2012  
**HEARING CONTINUED TO DECEMBER 1**

#364-14 PHI PROPERTIES LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a ~~four~~ three-unit multi-family dwelling with 9 below grade parking stalls and associated parking waivers if necessary at 9 CHANDLER STREET, Ward 1, NONANTUM, on land known as SBL 14, 10, 4 and 5, containing a combined total of 13,153 sf of land in a district zoned MULTI RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-9(c)(1), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012. *(A public hearing without a presentation was opened on December 9, 2014; however, the petition has been amended.)*  
**HEARING CONTINUED TO DECEMBER 1**

**REFERRED TO LAND USE COMMITTEE**

Tuesday, November 24, 2015

Present: Ald. Laredo (Chairman), Ald. Albright, Crossley, Schwartz, Lipof, Lennon, Harney, and Cote; also present Ald. Fuller, Norton, and Baker

*Item Recommended by full Board of Aldermen on November 16, 2015:*

#119-15 AUSTIN STREET PARTNERS, LLC/CITY OF NEWTON petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to redevelop an existing municipal parking lot, declared surplus by the Board of Aldermen on February 6, 2012, into a mixed use residential building providing 68 units of housing, approximately 5,000 sf of commercial space, approximately 90 underground parking spaces appurtenant to the proposed residences and commercial space and 127 public parking spaces at grade at 28 AUSTIN STREET, Ward 2, Newtonville, on land known as SBL 24, 9, 15, containing ±74,480 sf of land in a district zoned MIXED USE 4. Ref: Sec. 30-24, 30-23, 30-21(b), 30-15(w)(2), (w)(4)b, 30-15 Table 3, 30-13(h), (h)(2) Table B, 30-13(j)(1), (2), and (3), 30-19(d)(2), (10), (11), (12), and (13), 30-19(e), 30-19(h)(1), (2)a and b, 30-19(i)(1) and (2), 30-19 (j)(1), 30-19 (k); 30-19 (l) Table 3, 30-19(m) of the City of Newton Rev Zoning Ord, 2012. *The public hearing was opened and continued June 2, June 9, July 21, September 24, October 20, November 10, and November 12, 2015, when the public hearing was closed and the item was approved 6-1-1 (Cote opposed, Harney abstaining).*  
**APPROVED 6-2 (Cote and Harney)**

**REFERRED TO LAND USE COMMITTEE**

Tuesday, December 1, 2015

Present: Ald. Laredo (Chairman), Ald. Crossley, Albright, Lipof, Schwartz, Cote, Harney, and Lennon; also present: Ald. Leary, Baker, Sangiolo, Fuller, and Gentile

Planning Board: Scott Wolf, Peter Doeringer, Jonathan Yeo, Megan Risen, James Freas

*Hearing open and closed on November 17:*

#480-14     STEPHEN VONA petition to rezone 283 MELROSE STREET, also known as Section 41, Block 14, Lot 10, from MULTI RESIDENCE 1 to a MIXED USE 4 DISTRICT.

**HELD FOR DECEMBER 15, 2015**

*A Public Hearing was opened and continued on May 19, continued on June 23, and November 17:*

480-14(3)     STEPHEN VONA petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to restore and expand an existing structure known as the Turtle Lane Playhouse with office space above, to provide a mixed use building with an addition containing 6 dwelling units at street level and above and a second building containing a 23-unit multi-family dwelling with a below grade parking garage for 30 cars at 283 MELROSE STREET, Ward 4, Auburndale, on land known as SBL 41, 14, 10 containing approximately 43,783 sf of land [currently zoned MULTI RESIDENCE 1] in a proposed MIXED USE 4 DISTRICT. Ref: Sec 30-24, 30-23, 30-13(h)(2) Table B, 30-13(j)(1),(2),(3), 30-15 Table 3, 30-15(w)(1) and (4) and (w)(6), 30-5(b)(4), 30-19(d)(2), and (d)(18), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

**HEARING CONTINUED TO DECEMBER 15, 2015**

#416-12(4)     MAIN GATE REALTY LLC petition to AMEND Special Permit/Site Plan Approval for a Change in Nonconforming Use #416-12(3), granted August 12, 2013, which limited two existing tenant spaces to office, low parking demand/turnover service, or retail uses, ~~in order to allow office and storage space in the basement~~ and to re-stripe an existing parking lot to create five parking stalls, where four currently exist, and to waive the dimensional requirements for the parking stalls at 242-244 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill, on land known as SBL 61, 13, 11, containing approximately 7,452 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(h)(2)a) and (m) of the City of Newton Rev Zoning Ord. *A Public Hearing was opened on July 14, continued on August 4, October 13, October 20, November 17, when the hearing was closed.*

**HELD FOR DECEMBER 15, 2015**

#416-12(6) MAIN GATE REALTY LLC request to WITHDRAW WITHOUT PREJUDICE its request to AMEND Special Permit/Site Plan Approval for a Change in Nonconforming Use #416-12(3), granted August 12, 2013, which limited two existing tenant spaces to office, low parking demand/turnover service, or retail uses in order to allow office space in the basement at 242-244 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill, on land known as SBL 61, 13, 11, containing approximately 7,452 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(h)(2)a) and (m) of the City of Newton Rev Zoning Ord. *A Public Hearing was opened on July 14, continued on August 4, October 13, October 20, November 17, when the hearing was closed.*

**WITHDRAWAL WITHOUT PREJUDICE APPROVED 7-0 (Lennon not voting)**

*A Public Hearing was opened and continued on September 10, continued on October 13 and October 20, November 17:*

#416-12(5) JULIA WILLIAMSON/WALLY ZAINOUN, MAIN GATE REALTY petition to AMEND Special Permit/Site Plan #416-12(3), granted on August 12, 2013, and to AMEND special permit application #416-12(4), for which a public hearing was opened on July 13, 2015, with respect to EXTENDING a NONCONFORMING USE, to permit more than 3 customers for the service use on site at any one time and change the hours of operation of MODERN BARRE at 242-244 COMMONWEALTH AVENUE, Ward 7, Chestnut Hill, on land known as SBL 61, 13, 11, containing approximately 7,452 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

**HEARING CLOSED; HELD FOR DECEMBER 15, 2015**

*A Public Hearing was opened, continued on October 13, and November 17:*

#231-15 CARTHAY INVESTMENT LLC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND and ALTER a NONCONFORMING USE in order to construct four attached dwellings in two new 2½-story structures and extend a nonconforming side setback at 5-7 and 9-11 CARTHAY CIRCLE, Ward 6, Newton Highlands, on land known as SBL 54, 22, 8A and 9, containing 7,130 and 7,980 square feet of land, respectively, in a district zoned BUSINESS 2. Ref: 30-24, 30-23, 30-21(b), 30-15 Table 3, of the City of Newton Rev Zoning Ord, 2012

**HEARING CONTINUED TO DECEMBER 15, 2015**

*Hearing continued on November 17:*

- #364-14     PHI PROPERTIES LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a ~~four~~-three-unit multi-family dwelling with 9 below grade parking stalls and associated parking waivers if necessary at 9 CHANDLER STREET, Ward 1, NONANTUM, on land known as SBL 14, 10, 4 and 5, containing a combined total of 13,153 sf of land in a district zoned MULTI RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-9(c)(1), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012. *(A public hearing without a presentation was opened on December 9, 2014; however, the petition has been amended.)*  
**HEARING CLOSED; APPROVED 7-0 (Lipof not voting)**

*2016 Auto Dealer License Renewals*

**Class 1**

- #240-15     CLARK & WHITE, INC. d/b/a BAYSTATE  
CHRYSLER JEEP DODGE RAM  
777 Washington Street  
Newtonville 02460  
**APPROVED 7- 0 (Lipof not voting)**

**Class 2**

- #244-15     AUCTION DIRECT PREOWNED  
1545 Washington Street  
West Newton 02465  
**APPROVED 7- 0 (Lipof not voting)**
- #253-15     LIFT THROTTLE AUTOMOTIVE, LLC  
64 Hillside Avenue  
West Newton 02465  
**APPROVED 7- 0 (Lipof not voting)**
- #254-15     MAP DEVELOPMENT & INVESTMENTS  
d/b/a CHRISTIAN TAPIA/MASTER USED  
CARS of WATERTOWN  
175 North Street  
Newtonville 02460  
**APPROVED 7- 0 (Lipof not voting)**
- #256-15     NEW ENGLAND MOTOR MART, INC.  
1221-1229 Washington Street  
West Newton 02465  
**APPROVED 7- 0 (Lipof not voting)**



#257-15      NEWTON AUTO GROUP, INC.  
1235 Washington Street  
West Newton 02465  
**APPROVED 7- 0 (Lipof not voting)**

#260-15      NTC-NEWTON TRADE CENTER  
103 Adams Street  
Nonantum 02458  
**APPROVED 7- 0 (Lipof not voting)**

#261-15      OLD TIME GARAGE LTD.  
1960 Washington Street  
**APPROVED 7- 0 (Lipof not voting)**

#263-15      R.J.S. SERVICE, INC.  
361 Washington Street  
Newton Corner 02458  
**APPROVED 7- 0 (Lipof not voting)**

#264-15      REGANS INC.  
2066 Commonwealth Avenue  
Auburndale 02466  
**APPROVED 7- 0 (Lipof not voting)**

#265-15      ROBERT'S TOWING, INC.  
926r Boylston Street  
Newton Highlands 02461  
**APPROVED 7- 0 (Lipof not voting)**

#268-15      STAN'S AUTOMOTIVE INC.  
249 Centre Street  
Newton Corner 02458  
**APPROVED 7- 0 (Lipof not voting)**

#270-15      CITY OF NEWTON  
**APPROVED 7- 0 (Lipof not voting)**

**Class 2 & 3**

#271-15      ECHO BRIDGE SALVAGE CO.  
16-24 Maguire Court  
Newtonville 02460  
**APPROVED 7- 0 (Lipof not voting)**

#272-15 SCHIAVONE BROTHERS, INC.  
16-24 Maguire Court  
Newtonville 02460

**APPROVED 7- 0 (Lipof not voting)**

#243-15 AUBURNDALE SERVICE CENTER, LLC  
d/b/a AUBURNDALE MOBIL  
2105 Commonwealth Avenue  
Auburndale 02466

**NO ACTION NECESSARY 7-0 (Lipof not voting)**

#245-15 AUTO EUROPA, INC.  
38 Ramsdell Street  
Newton Highlands 02461

**NO ACTION NECESSARY 7-0 (Lipof not voting)**

#249-15 GLOBAL VENTURES GROUP INC.  
d/b/a LUX AUTO PLUS  
1197-1201 Washington Street  
West Newton 02465

**NO ACTION NECESSARY 7-0 (Lipof not voting)**

#250-15 MAVERICK MOTORS, INC.  
1209 Washington Street,  
West Newton 02465

**NO ACTION NECESSARY 7-0 (Lipof not voting)**

#252-15 L. A. AUTO BODY, INC.  
41 Los Angeles Street  
Nonantum 02458

**NO ACTION NECESSARY 7-0 (Lipof not voting)**

**REFERRED TO LAND USE AND FINANCE COMMITTEES**

#375-14(5) HIS HONOR THE MAYOR requesting that Sec. 17-3. **Fees for certain licenses and permits.** of the Rev Ordinances of the City of Newton, 2012, Special Permit fees, be amended by striking in (15)a) "\$350.00" and in (15b) "\$750.00" and by substituting "\$500.00" and "\$1,000.00," respectively, and by deleting (15c) in its entirety and re-lettering d) to c) and e) to d), effective 07/01/15.

**FINANCE VOTED NO ACTION NECESSARY 7-0 on 11/09/15**

**NO ACTION NECESSARY 7-0 (Lipof not voting)**

- #214-10(7) ALD. HESS-MAHAN, ALBRIGHT, CROSSLEY, BAKER, LAREDO, LIPOF, FULLER requesting a discussion with the Inspectional Services and Planning Departments and New England Development about the as-built condition of Chestnut Hill Square and its apparent lack of conformity with the plans and elevations as approved and conditioned by the Board of Aldermen in special permit #214-10, granted on December 6, 2010.

**NO ACTION NECESSARY 7-0 (Lipof not voting)**

- #75-15 KENNETH LYONS, 170 Suffolk Road, appointed by President Lennon as a member of the BOSTON COLLEGE NEIGHBORHOOD AREA COUCIL for a term to expire December 3,1 2015

**NO ACTION NECESSARY 7-0 (Lipof not voting)**

**REFERRED TO ZONING & PLANNING, LAND USE AND FINANCE COMMITTEES**

- #104-15 ALD. JOHNSON, LAREDO, AND GENTILE requesting a report from the Planning Department re how many of the affordable units developed at Commonwealth Avenue, Pearl Street, and Eddy Street qualify for inclusion on the State's Subsidized Housing Inventory List; if a property is not on the list, what can be done to make it eligible.

**ZONING & PLANNING HELD 6-0 (Hess-Mahan not voting) on 11/09/15**

**FINANCE HELD 7-0 on 11/09/15**

**LAND USE REFERRED 7-0 (Lipof not voting) to 2016-2017 CITY COUNCIL**

**REFERRED TO ZONING & PLANNING, LAND USE & FINANCE COMMITTEES**

- #273-12 ALD. CROSSLEY & HESS-MAHAN requesting a restructuring and increase in fees for permits charged by the Inspectional Services Department and fees charged by the Planning Department and City Clerk to assure that fees are both sufficient to fund related services provided and simple to administer.

**REFERRED 7-0 (Lipof not voting) to 2016-2017 CITY COUNCIL**

**REFERRED TO ZONING & PLANNING COMMITTEE**

Monday, November 23, 2015

Present: Ald. Johnson (Chairman), Danberg, Sangiolo, Leary, Kalis, Baker, Hess-Mahan

Absent: Ald. Yates; Also Present: Ald. Gentile, Harney and Brousal-Glaser

- #293-15 11 JOHN STREET LLC petition to rezone land known as Section 65, Block 8, Lot 70 at 11 JOHN STREET from MULTI RESIDENCE 1/BUSINESS 1 to BUSINESS 1. [10/09/15 @1:00PM]

**WITHDRAWAL WITHOUT PREJUDICE APPROVED 7-0 (Hess-Mahan not voting)**

- #196-15      TAMMY ARCURI et al. petition to rezone land known as Section 41, Block 6, Lots 11, 12, and Lot 13 1B located at 132 CHARLES STREET, AUBURNDALE, from MULTI RESIDENCE 2 to MANUFACTURING .  
**HELD 8-0**

**REFERRED TO PROGRAMS AND SERVICES COMMITTEE**

Wednesday, November 18, 2015

Present: Ald. Sangiolo (Chairman), Rice, Baker, Leary, Norton, Kalis, Blazar and Hess-Mahan  
Also Present: Ald. Lappin, Harney, Cote and Schwartz

- #316-15      ALD. LENNON & LAPPIN, pursuant to Section 2-7 of the City Charter, recommending that the Board of Aldermen/City Council re-appoint David A. Olson as City Clerk; said term will be two years or until a successor is duly qualified. [11/09/15 @ 7:00PM]  
**APPROVED 8-0**

- #317-15      CITY CLERK requesting that the Rules of the Board of Aldermen be updated to reflect the change of the name to City Council, remove gender specific language and update any references to Chapter 30 to reflect the new organization of the Chapter. [11/09/15 @ 7:00PM]  
**APPROVED 8-0**

- #318-15      THE CITY CLERK requesting that the following Chapters of the Newton City Ordinances be updated to reflect the change of name of the Board of Aldermen to City Council to take effect on January 1, 2016:  
Chapter 1 – General Provisions; Chapter 2 – Administration; Chapter 3 – Board of Aldermen; Chapter 6 – City Clerk; and to add the following text to Chapter 1, Section 3: “Board of Aldermen. Any reference to the Board of Aldermen shall mean City Council.” [11/09-15 @7:00PM]  
**APPROVED 8-0**

**REFERRED TO PROGRAMS & SERVICES AND PUBLIC SAFETY COMMITTEES**

- #312-15      ALD. COTE, HARNEY AND NORTON, requesting a review and discussion of the opiate overdose epidemic including an update from the Health Department appraising the board on the current situation to include comparative statistics from previous years as to the number of opiate overdoses handled by first responders. In addition, what is being done immediately to take this on and what support can the Board provide. [10/19/15 @ 1:30 PM]  
**HELD 8-0**

#31-15      PROGRAMS & SERVICES COMMITTEE proposing an ordinance to limit the use of leafblowers. [01/26/15 @ 2:20PM]  
**HELD 8-0**

#31-15(2)      THE PROGRAMS & SERVICES COMMITTEE requesting to amend *Chapter 20-13, Noise Control*, relative to time restrictions on the use of yard, garden or grounds maintenance equipment. [03/19/15 @ 12:14PM]  
**HELD 8-0**

**PUBLIC SAFETY & TRANSPORTATION COMMITTEE REPORT**

Wednesday, November 18, 2015

Present: Ald. Ciccone (Chair), Johnson, Cote, Harney, Schwartz and Lipof; absent: Ald. Yates and Fuller

#326-15      HIS HONOR THE MAYOR in accordance with Chapter 279 of the Acts of 1992 and Sec. 3-3 and 3-4 of the City Charter, appointing CAPTAIN DAVID MACDONALD as Chief of Police, appointed November 16, 2015, effective November 30, 2015. [11/16/15 @ 3:39 PM]  
**APPROVED 6-0**

#311-15      STEVEN J. DONATO, 1211 Washington Street, Trustee of the 337 Washington Street Realty Trust, appealing the Approval of TC2-15 Traffic Council Decision on October 1, 2015: All existing Peabody Street resident permits and visitor passes will expire on December 31, 2015. A maximum of two (2) visitor permits will be available per dwelling unit for each address on Peabody Street, to be effective beginning January 1, 2016. A note will be added to TPR-202 for Peabody Street: "Beginning January 1, 2016, a maximum of one (1) visitor permit will be made available to residents of dwelling units located on corner lots which are contiguous to a lot that borders Peabody Street. These visitor permits are to continue to be made available on an annual basis, but only to residents living in these dwelling units who have a current Peabody Street resident permit or visitor pass. Resident of dwelling units located on corner lots which are contiguous to a lot that borders Peabody Street, but who do not currently have a Peabody Street visitor permit or resident sticker will not be entitled to obtain one."  
(Ward 1) [Appeal filed 10/21/15]  
**NO ACTION NECESSARY 5-0, Cote not voting**

**REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES**

#85-15 ALD. SANGIOLO, requesting discussion with the Director of Transportation and the Transportation Coordinator to determine whether a fee could be imposed on all residents who own automobiles in the City. Such fee to be placed into a transportation fund to pay for roadway and sidewalk improvements. Residents would get a parking sticker in return for each automobile they have registered with the City that would enable them to bypass parking restrictions in the City except for Tow Zones and Fire Hydrants and any other emergency zones determined by the Police and Fire Departments. [03/12/15 @ 10:38 AM]  
**PUBLIC FACILITIES VOTED NO ACTION NECESSARY on 11/18/15**  
**FINANCE VOTED NO ACTION NECESSARY 7-0 on 11/09/15**  
**NO ACTION NECESSARY 6-0**

#309-14(2) ALD. JOHNSON, requesting a discussion regarding changes that may need to be made to Traffic Council. This would include intent and purpose of the council, criteria and process to determine the referral of Traffic Council petitions to be discussed and acted upon Administratively by Traffic Council or Public Safety & Transportation Committee.  
**NO ACTION NECESSARY 6-0**

#309-14 ALD. JOHNSON, requesting a discussion re changes that may need to be made to the Traffic Council membership to make it more effective, efficient, and representative of the community.  
**NO ACTION NECESSARY 6-0**

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

Wednesday, November 18, 2015

Present: Ald. Crossley (Chair), Albright, Brousal Glaser, Gentile, Laredo and Lappin; absent: Ald. Lennon and Danberg; also present: Ald. Baker and Fuller

#102-06(17) CHESTNUT HILL REALTY requesting a modification to Board Order #102-06(14) for a common sewer extension and water main in Lagrange Street by relocating the sewer extension to BRYON ROAD from an existing manhole in Bryon Road extending 190' ± northerly to a proposed manhole in Lagrange Street. (Ward 8) [10/29/15 @ 2:21 PM]  
**APPROVED 5-0 (Brousal-Glaser not voting)**

#320-15 VERIZON NEW ENGLAND, INC. petitioning for a grant of location to relocate Pole No. P61/4 10' ± south of its existing location in TROY LANE to accommodate a new driveway for new homes at 29A and 29B Troy Lane. (Wd 5)  
**APPROVED 6-0**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #325-15     HIS HONOR THE MAYOR requesting authorization to appropriate and expend seven hundred sixty-six thousand dollars (\$766,000) from bonded indebtedness for the purpose of funding the replacement of the Manet Road Emergency Communications Facility Building, site modifications and tower optimization.  
**FINANCE APPROVED 6-0 on 11/23/15**  
**APPROVED 6-0**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #455-14     HIS HONOR THE MAYOR recommending amendment to Chapter 29, Section 80 **Sewer/Stormwater use charge.** of the City of Newton Ordinances to create a storm water rate fee structure based upon square footage of impervious surface area.  
**HELD 6-0**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #224-15     HIS HONOR THE MAYOR requesting authorization to appropriate two million dollars (\$2,000,000) from bonded indebtedness for the purpose of funding Newton's share of the cost of the repairs to the Elliot Street Bridge, which the City co-owns with the Town of Needham. [09/01/15 @ 8:46 AM]  
**FINANCE APPROVED 6-0 on 11/23/15**  
**APPROVED 6-0**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #324-15     HIS HONOR THE MAYOR requesting authorization to appropriate and expend four hundred thousand dollars (\$400,000) from bonded indebtedness for the purpose of replacing a Combination Sewer Cleaner for the Utilities Division of the Department of Public Works. [11/09/15 @ 3:43 PM]  
**FINANCE APPROVED 6-0 on 11/23/15**  
**APPROVED 6-0**

**REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #85-15     ALD. SANGIOLO requesting discussion with the Director of Transportation and the Transportation Coordinator to determine whether a fee could be imposed on all residents who own automobiles in the City. Such fee to be placed into a transportation fund to pay for roadway and sidewalk improvements. Residents would get a parking sticker in return for each automobile they have registered with the City that would enable them to bypass parking restrictions in the City except for Tow Zones and Fire Hydrants and any other emergency zones determined by the Police and Fire Departments.  
**FINANCE VOTED NO ACTION NECESSARY 7-0 on 11/09/15**  
**PS&T VOTED NO ACTION NECESSARY 6-0 on 11/18/15**  
**NO ACTION NECESSARY 5-0 (Gentile not voting)**

**TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #310-10(2) ALD. DANBERG, BLAZAR, KALIS, SCHWARTZ, ALBRIGHT, HESS-  
(#409-12) MAHAN, RICE, COTE, LEARY, AND NORTON requesting amendments to Sec. 26-8D of the City of Newton Ordinances to modify and make permanent the trial program for removal of snow and ice from sidewalks and to provide for enforcements and fines for violations. [09/10/14 @ 2:12 PM]  
**PS&T VOTED NO ACTION NECESSARY 5-0 ON 11/04/15**  
**FINANCE VOTED NO ACTION NECESSARY 7-0 on 11/09/15**  
**NO ACTION NECESSARY 5-0 (Gentile not voting)**

**REFERRED TO FINANCE COMMITTEE**

Monday, November 23, 2015

Present: Ald. Gentile (Chair), Norton, Brousal-Glaser, Rice, Blazar, Fuller, and Lappin  
Absent: Ald. Ciccone

- #321-15 ALD. LENNON & LAPPIN pursuant to Sec. 2-7 of the City Charter, recommending re-appointment of David C. Wilkinson as Comptroller of Accounts; said term will be two years or until a successor is duly qualified. [11/09/15 @ 7 PM]  
**APPROVED 6-0 (Blazar not voting)**
- #322-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of seven thousand five hundred dollars (\$7,500) from Budget Reserve to fund the recently established City of Newton Charter Commission operating expenditures per Massachusetts General Law Chapter 43(b) Section 8. [11/09/15 @ 3:43 PM]  
**APPROVED 6-0 (Blazar not voting)**
- #323-15 HIS HONOR THE MAYOR requesting authorization to transfer the sum of twenty five thousand dollars (\$25,000) from the Energy Stabilization Fund to purchase and install a two cord electric vehicle charging station at the War Memorial parking circle. [11/09/15 @ 3:43 PM]  
**APPROVED 6-0 (Blazar not voting)**
- REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**
- #324-15 HIS HONOR THE MAYOR requesting authorization to appropriate and expend four hundred thousand dollars (\$400,000) from bonded indebtedness for the purpose of replacing a Combination Sewer Cleaner for the Utilities Division of the Department of Public Works. [11/09/15 @ 3:43 PM]  
**PUBLIC FACILITIES APPROVED 6-0 on 11/18/15**  
**APPROVED 6-0 (Blazar not voting)**



**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #325-15     HIS HONOR THE MAYOR requesting authorization to appropriate and expend seven hundred sixty-six thousand dollars (\$766,000) from bonded indebtedness for the purpose of funding the replacement of the Manet Road Emergency Communications Facility Building, site modifications and tower optimization. [11/09/15 @ 3:43 PM]  
**PUBLIC FACILITIES APPROVED 6-0 on 11/18/15**  
**APPROVED 6-0 (Blazar not voting)**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #224-15     HIS HONOR THE MAYOR requesting authorization to appropriate two million dollars (\$2,000,000) from bonded indebtedness for the purpose of funding Newton's share of the cost of the repairs to the Elliot Street Bridge, which the City co-owns with the Town of Needham. [09/01/15 @ 8:46 AM]  
**PUBLIC FACILITIES 6-0 on 11/18/15**  
**APPROVED 6-0 (Blazar not voting)**
- #287-15     HIS HONOR THE MAYOR submitting the FY 2017-FY 2021 5-Year Financial Forecast for Board of Aldermen review/acceptance. [10/01/15 @ 1:53 PM]  
**HELD 7-0**

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The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov), or 617-796-1253. For Telecommunications Relay Service dial 711.*